

ORIGINAL

DFK
Clerk

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT
★

JUL 22 2005

Fitzroy Morris,
Petitioner,

FILED
JUL 22 2005

-vs-

ORDER

William Phillips, Superintendent,
Respondent.

CV-04-4597(FB)(LB)

On July 15, 2005 the incarcerated pro se petitioner filed a motion for summary judgment because the respondent's have not filed their opposition to his petition after severally requests for an extension of time. On July 5, 2005 the court granted respondent yet another request until July 26, 2005 to serve and file their opposition. Accordingly it is

HEREBY ORDERED that the incarcerated pro se petitioner's motion for summary judgment is DENIED.

The clerk is directed to mail copies of this notice to all parties.

DATED: Brooklyn, New York
July 21, 2005

U.S.D.J.

cc.: Fitzroy Morris, pro se petitioner
ADA Sharon Yaffa Brodt